BY PETER GOLDMAN. HR. 73

was traveling on borrowed cash, publisher's advances and the hospitality of the host countries, but the fact that such an inquiry was undertaken at all suggests that Justice was looking for something more sinister.* Handler got wind of the government's concern and did a *Times* piece reporting that not only Justice but State had got worried after seeing Malcolm's memo. What troubled Washington, Handler wrote, was that if Malcolm could persuade a single African government to carry the ball in the UN, the United States would be confronted with "a touchy problem" indeed—a challenge to its claim to primacy among nations in the defense of human rights.

Someone sent Malcolm a clipping of this story; he read it, folded it up, put it in his wallet and worriedly showed it to friends he met on his travels. He had come in Africa, as he had earlier in the States, to that point in the life of a revolutionary where paranoia and reality intersect. People began following him—U.S. agents, he presumed—and when he couldn't pick out his particular shadow, he was suspicious of any stranger. "He was very frightened," said Melvin McCaw, a young black American who then directed the Nairobi office of the Institute of International Education. "Every person he saw, he'd want to know: *Who's that? What are his connections?* We took him to a nightclub, the Equator Club, and sat at a table where he had his back exposed. He was very uncomfortable. He kept looking over his shoulder, kept noticing people he thought he'd seen before. . . ."

His travels this time took him from Egypt and Arabia down the east coast of Africa as far as Tanzania, then west and north roughly along the route he had followed on his first trip. He visited four-

*One measure of the discretion with which the matter was handled was the fact that Burke Marshall, then the Assistant Attorney General in charge of civil rights, did some of the inquiring himself and that when he wanted to see Alex Haley, Malcolm's collaborator on the *Autobiography*, he arranged that they meet informally in New York, at the offices of a foundation friendly to civil-rights causes. Marshall, when I inquired, had forgotten this meeting and remembered generally having been "more curious than concerned" about Malcolm's activities. "We were awfully ignorant about the Muslims and about Malcolm X." But not alarmed by what he was doing? "Not me. Now if you ask Mr. [J. Edgar] Hoover or somebody like that—"

teen nations and had audiences with seven heads of state; he spent several days with Prime Minister Jomo Kenyatta of Kenya, took a plane ride from Dar-es-Salaam to Nairobi with Prime Minister Milton Obote of Uganda, visited Conakry for three days as the house guest of President Sékou Touré of Guinea. His sponsors from country to country were usually the old revolutionaries or the young radicals, but he seemed to be welcome everywhere. "Even the conservatives were impressed by him," Melvin McCaw remembered. "He had a great gift for explaining the situation—for bringing the issue to the Africans. He even talked the way they do, with those animal metaphors—the whole language of the Kikuyu is made up of them."

Where his first trip had been impromptu and private, his second was formal and public—a VIP tour down the corridors of power of a third of the then independent nations of Africa. He didn't get stuck waiting at airports this time; this time he was expected, and received, like a visitor of state. He stayed at the grand hotels, like the Nile Hilton or the richly gardened Federal Palace in Lagos or the New Stanley in Nairobi, where the doormen used to chase passing Africans across the street in the old colonial times. On his diplomatic rounds, said Julian Mayfield, who saw Malcolm this trip in Cairo as well as in Ghana, "it was open sesame everywhere he went. And he took it all in stride. He was completely at ease with men who dealt in world affairs. He understood power and they understood power. I used to wonder what he would be like if he had been born in a country where we were in a majority and if he had been the head of state. He understood right off something that it took me a long time to find out—that the United States government doesn't run much differently than a little old chickenshit government like Ghana." Malcolm invested himself with the authority to speak for 22 million black Americans, and a good part of Africa believed him. Other American black leaders traveling the continent in his wake—a group from SNCC and, later, James Farmer—discovered that they had to relate themselves to Malcolm to be heard, not only in Left and student circles but among some government ministers as well. "Almost everywhere he'd

Peter Dale Scott H/R 73

colm, got caught by Patrolman Hoy, was packed off to the 34th Precinct and had to be dematerialized to cover his complicity in the plot. The one flaw in this is that the Second Suspect never existed; first Hoy, then Sergeant Aronoff and Patrolman Angelos all had hold of the same suspect, Talmadge Hayer, and the single collar got reported twice—a confusion of a sort familiar to every reporter who has ever covered a fast-breaking story. It is a trait of conspiratorialists to doubt everything in the establishment press except its mistakes, which are accepted on faith as the truth come accidentally to light; the mystery of the Second Suspect has accordingly survived and flourished since 1965 without benefit of serious inquiry.

The first suspect, Hayer, is anomaly enough for any state-conspiracy theory. There is reasonable ground to believe that he was or had been a Muslim, although the best single piece of evidence —the Newark membership list—was inadmissible in court. Even if one does not accept this, the alternative proposed by the conspiratorialists, that he was a hired gun for the CIA or some other state plot against Malcolm, is rather more difficult to credit. There is, for one thing, Hayer himself, a dropout from Jersey with a job in a machine shop and a bust for a kid-stuff gun burglary. ("Can you see the CIA employing *Hagan?*" said Herb Stern, who, like most people on the case, never stopped thinking of him by his wrong name. "A guy who sells Muslim papers in *Paterson?* That's not stupid—that's lunatic.") There is, for another, the high improbability that the CIA, having hired Hayer or anybody else, would have risked his getting caught by sending him out to dispatch Malcolm before several hundred witnesses and a troop of presumably loyal bodyguards. A religious murder might be transacted in such circumstances, as a lesson to the wayward in the faith. A political murder could (and one guesses would) have been done under less risky conditions—by sniper fire, say, or midnight ambush—and been blamed just as easily on the Muslims.

It is unlikelier still that the CIA, having hired a man who sold Muslim papers in Paterson and directed him to kill Malcolm in full public view, would then have suffered his survival to trial. It is said

in the conspiracy literature that, because he was arrested, there *had* to be a trial. What "had to" happen is an infinitely plastic feature of assassination conspiracy theories, malleable to fit any circumstance; thus, Lee Harvey Oswald "had to be" shot and James Earl Ray "had to be" pleaded guilty, to silence them respectively about the plots against John Kennedy and Martin Luther King; thus in his turn, Hayer "had to be" tried—one guesses because he *was* tried. He didn't have to be tried at all, of course, not if one believes the state-conspiracy theory; a plot so malignant as to have murdered Malcolm and so comprehensive as to include the CIA and substantial elements of the New York police would much more likely have disposed of Hayer as well and hung the whole rap on certifiable Black Muslims who couldn't betray the real conspirators. The single hint in Hayer's courtroom confession as to who commissioned the murder—his reference to Williams's broken line of inquiry—seemed to point not at the CIA or the white power structure at all but at some fuzzy civil war among Malcolm's own people; this never got developed* and was not very persuasive in any case, given Hayer's palpable habit of incorporating whatever bits of testimony suited him into his own revised version of the events. One imagines that if Hayer were in fact the hireling of the CIA or any other non-Muslim conspiracy, and if he had somehow lived to take the stand, he (or at least his masters) would have been quite content—even eager—to see the Muslims take the blame. A Muslim or Muslim employee, on the other hand, would have done everything he could to clear them; that, of course, is precisely what Hayer tried to do.

One wonders, moreover, at a conspiracy in which one of the

*Dermody has been accused by the conspiratorialists of having deliberately cut Hayer off, presumably to suppress the truth; the charge ignores the fact that he demanded repeatedly thereafter that Hayer say straight out who hired him. I made an effort to interview Hayer in Attica prison about this among numerous other points. He sent out word that he would see me only with the assent of his new lawyer, Edward Bennett Williams. Williams declined, on the ancient and honorable tradition that the game is never over until the last appeal is exhausted. I find Williams's protectiveness perfectly reasonable, even admirable; still, it ought to be noted that it is the defense, not the state, that has foreclosed further inquiry into what the single confessed assassin might have to say about the crime.

WHY WOULD E.B.W. TAKE THIS CASE?